

From: [Monahan-Cummings, Carol@OEHHA](mailto:Monahan-Cummings_Carol@OEHHA)
To: [Keigwin, Richard](#); [Goodis, Michael](#); Zeise, Lauren@OEHHA; Leahy, Brian@CDPR; Neese, Liz@CDPR; [Messina, Edward](#); Verder-Carlos, MaryLou@CDPR; Marks, Teresa@CDPR
Cc: Fernandez, Mario@OEHHA
Subject: RE: OEHHA's Proposed Regulations
Date: Thursday, September 06, 2018 1:53:17 PM
Attachments: [ATT00001.txt](#)

Okay, glad to help. FYI, we were just notified that the federal court granted the motion to stay the litigation indefinitely. The preliminary injunction prohibiting enforcement remains in place. Here is the text of the order:

**U.S. District Court
Eastern District of California - Live System
Notice of Electronic Filing**

The following transaction was entered on 9/6/2018 at 9:38 AM PDT and filed on 9/6/2018

Case Name: National Association of Wheat Growers et al v. Zeise et al

Case Number: [2:17-cv-02401-WBS-EFB](#)

Filer:

Document Number: [109](#)

Docket Text:

ORDER signed by Senior Judge William B. Shubb on 9/5/2018 GRANTING [104] Motion to Stay. All proceedings in this case are hereby STAYED pending issuance of opinions by the 9th Circuit in American Beverage Association v. City and County of San Francisco, No. 16-16072, and CTIA-The Wireless Association v. City of Berkeley, No. 16-15141. When the 9th Circuit has issued opinions in both those cases, counsel shall take the necessary steps to have this matter placed back on the calendar for further status conference. The briefing schedule and hearing date of 1/22/2019 on the cross-motions for summary judgment are VACATED. (York, M)

Carol J. Monahan Cummings

Chief Counsel

Office of Environmental Health Hazard Assessment

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Sacramento, CA 95814

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written approval from the sender is strictly prohibited.

Please consider the environment before printing this email.

From: Keigwin, Richard <Keigwin.Richard@epa.gov>

Sent: Thursday, September 6, 2018 3:23 AM

To: Monahan-Cummings, Carol@OEHHA <Carol.Monahan-Cummings@oehha.ca.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Zeise, Lauren@OEHHA <Lauren.Zeise@oehha.ca.gov>; Leahy, Brian@CDPR <Brian.Leahy@cdpr.ca.gov>; Neese, Liz@CDPR <Liz.Neese@cdpr.ca.gov>; Messina, Edward <Messina.Edward@epa.gov>; Verder-Carlos, MaryLou@CDPR <Marylou.Verder-Carlos@cdpr.ca.gov>; Marks, Teresa@CDPR <Teresa.Marks@cdpr.ca.gov>

Cc: Fernandez, Mario@OEHHA <Mario.Fernandez@oehha.ca.gov>

Subject: RE: OEHHA's Proposed Regulations

Thank you very much and thanks for yesterday's discussion. I think it cleared up several misunderstandings for EPA. Thanks again.

From: Monahan-Cummings, Carol@OEHHA [<mailto:Carol.Monahan-Cummings@oehha.ca.gov>]

Sent: Wednesday, September 05, 2018 6:34 PM

To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Zeise, Lauren@OEHHA <Lauren.Zeise@oehha.ca.gov>; Leahy, Brian@CDPR <Brian.Leahy@cdpr.ca.gov>; Neese, Liz@CDPR <Liz.Neese@cdpr.ca.gov>; Messina, Edward <Messina.Edward@epa.gov>

Cc: Fernandez, Mario@OEHHA <Mario.Fernandez@oehha.ca.gov>

Subject: RE: OEHHA's Proposed Regulations

Rick,

It was nice talking with you today. Per your request, below are the citations to the cases we discussed today:

National Association of Wheat Growers et al v Xavier Becerra et al. (US District Court E.D. Case # 2:12-cv-02401-WBS-EFB) is the federal case where the preliminary injunction against enforcement of the warning requirement for glyphosate exposures is in place. I have attached a copy of the injunction for you. Note that subsequent to this order, our office was dismissed from the case.

Monsanto v OEHHA (5th District, 2018) Court of Appeal, 231 Cal.Rptr.3d 537, is the state court case that found the listing of glyphosate to be valid under state and federal law. I have attached a copy of the opinion for you.

Please let me know if you need anything further.

Best regards,

Carol J. Monahan Cummings

Chief Counsel

Office of Environmental Health Hazard Assessment

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-----Original Appointment-----

From: jewell.shannon@epa.gov <jewell.shannon@epa.gov> **On Behalf Of** Keigwin, Richard

Sent: Wednesday, August 29, 2018 8:02 AM

To: Keigwin, Richard; Goodis, Michael; Zeise, Lauren@OEHHA; Leahy, Brian@CDPR; Monahan-Cummings, Carol@OEHHA; Neese, Liz@CDPR; Messina, Edward

Cc: Rennert, Janet@OEHHA

Subject: OEHHA's Proposed Regulations

When: Wednesday, September 5, 2018 5:00 PM-5:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Ph: 1 (202) 991-0477 / Code: 458159

Related emails:

From: Keigwin.Richard@epa.gov

Date: August 24, 2018 at 9:41:31 AM EDT

To: zeise.lauren@oehha.ca.gov

Cc: brian.leahy@cdpr.ca.gov

Subject: Request to chat regarding OEHHA's Proposed Regulations Impacting FIFRA-regulated products

Dr. Zeise—

I am writing to request some time to chat with you regarding OEHHA's proposed regulations that will impact labeling for products EPA regulates under the Federal Insecticide, Fungicide, and Rodenticide Act. We have been receiving several inquiries from stakeholders and I thought it might be helpful if you and I (and hopefully Brian) could schedule some time to discuss coordination across our three organizations.

I believe our staffs have been having some productive discussions. Would you have some time in the coming week for a conversation?

—Rick

Rick Keigwin

Director, Office of Pesticide Programs
U.S. Environmental Protection Agency
Phone: 703-305-7090
Website: www.epa.gov/pesticides
Sent from my iPhone